

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1518 be amended to read as follows:

- 1 Page 5, between lines 17 and 18, begin a new paragraph and insert:
- 2 "SECTION 9. IC 8-1-2.6-0.7 IS ADDED TO THE INDIANA
- 3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 4 [EFFECTIVE JULY 1, 2005]: **Sec. 0.7. As used in this chapter,**
- 5 **"incumbent local exchange carrier" means a local service**
- 6 **telephone utility that provides telephone service to customers in the**
- 7 **geographic territory served by the local exchange and is either of**
- 8 **the following:**
- 9 (1) A telephone utility that on February 8, 1996, provided
- 10 telephone exchange service in the geographic territory and
- 11 was considered to be a member of the exchange carrier
- 12 association under 47 CFR 69.601(b).
- 13 (2) A person or an entity that on or after February 8, 1996,
- 14 became a successor or assignee of a member of the exchange
- 15 carrier association described in subdivision (1).
- 16 SECTION 10. IC 8-1-2.6-0.8 IS ADDED TO THE INDIANA
- 17 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 18 [EFFECTIVE JULY 1, 2005]: **Sec. 0.8. As used in this chapter,**
- 19 **"payphone service provider" means an entity, other than an**
- 20 **incumbent local exchange carrier, that owns and operates public**
- 21 **or semipublic pay telephones or pay telephones used to provide**
- 22 **telephone service in correctional institutions."**
- 23 Page 7, line 1, delete "The" and insert "Except as provided in
- 24 section 16 of this chapter, the".
- 25 Page 7, line 16, delete "section 12" and insert "sections 12 and 16".

1 Page 14, between lines 20 and 21, begin a new paragraph and insert:
2 "SECTION 10. IC 8-1-2.6-16 IS ADDED TO THE INDIANA
3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2005]: **Sec. 16. Notwithstanding any other**
5 **statute, the commission shall retain jurisdiction to establish just**
6 **and reasonable rates that may be charged by an incumbent local**
7 **exchange carrier to a payphone service provider. Rates established**
8 **under this section must be:**
9 **(1) based on the costs incurred by the incumbent local**
10 **exchange carrier to provide the service;**
11 **(2) consistent with the requirements of 47 U.S.C. 276;**
12 **(3) nondiscriminatory; and**
13 **(4) consistent with the pricing guidelines for payphone service**
14 **providers established by the Federal Communications**
15 **Commission."**
16 Re-number all SECTIONS consecutively.
 (Reference is to HB 1518 as printed February 22, 2005.)

Representative Yount